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SECTION L

INSTRUCTIONS, CONDITIONS, AND NOTICES TO OFFERORS

L.1 52.215-1 INSTRUCTIONS TO OFFERORS--COMPETITIVE ACQUISITION (FEB 2000) Alternate I (OCT 1997)

(a) Definitions. As used in this provision--

"Discussions" are negotiations that occur after establishment of the competitive range that may, at the Contracting Officer's discretion, result in the offeror being allowed to revise its proposal.

"In writing" or "written" means any worded or numbered expression which can be read, reproduced, and later communicated, and includes electronically transmitted and stored information.

"Proposal modification" is a change made to a proposal before the solicitation's closing date and time, or made in response to an amendment, or made to correct a mistake at any time before award.

"Proposal revision" is a change to a proposal made after the solicitation closing date, at the request of or as allowed by a Contracting Officer as the result of negotiations.

"Time", if stated as a number of days, is calculated using calendar days, unless otherwise specified, and will include Saturdays, Sundays, and legal holidays. However, if the last day falls on a Saturday, Sunday, or legal holiday, then the period shall include the next working day.

(b) Amendments to solicitations. If this solicitation is amended, all terms and conditions that are not amended remain unchanged. Offerors shall acknowledge receipt of any amendment to this solicitation by the date and time specified in the amendment(s).

(c) Submission, modification, revision, and withdrawal of proposals.

(1) Unless other methods (e.g., electronic commerce or facsimile) are permitted in the solicitation, proposals and modifications to proposals shall be submitted in paper media in sealed envelopes or packages (i) addressed to the office specified in the solicitation, and (ii) showing the time and date specified for receipt, the solicitation number, and the name and address of the offeror. Offerors using commercial carriers should ensure that the proposal is marked on the outermost wrapper with the information in paragraphs (c)(1)(i) and (c)(1)(ii) of this provision.

(2) The first page of the proposal must show--

- (i) The solicitation number;
- (ii) The name, address, and telephone and facsimile numbers of the offeror (and electronic address if available);
- (iii) A statement specifying the extent of agreement with all terms, conditions, and provisions included in the solicitation and agreement to furnish any or all items

upon which prices are offered at the price set opposite each item;

- (iv) Names, titles, and telephone and facsimile numbers (and electronic addresses if available) of persons authorized to negotiate on the offeror's behalf with the Government in connection with this solicitation; and
- (v) Name, title, and signature of person authorized to sign the proposal. Proposals signed by an agent shall be accompanied by evidence of that agent's authority, unless that evidence has been previously furnished to the issuing office.

(3) Submission, modification, revision, and withdrawal of proposals.

- (i) Offerors are responsible for submitting proposals, and any modifications or revisions, so as to reach the Government office designated in the solicitation by the time specified in the solicitation. If no time is specified in the solicitation, the time for receipt is 4:30 p.m., local time, for the designated Government office on the date that proposal or revision is due.
- (ii) (A) Any proposal, modification, or revision received at the Government office designated in the solicitation after the exact time specified for receipt of offers is "late" and will not be considered unless it is received before award is made, the Contracting Officer determines that accepting the late offer would not unduly delay the acquisition; and--
 - (1) If it was transmitted through an electronic commerce method authorized by the solicitation, it was received at the initial point of entry to the Government infrastructure not later than 5:00 p.m. one working day prior to the date specified for receipt of proposals; or
 - (2) There is acceptable evidence to establish that it was received at the Government installation designated for receipt of offers and was under the Government's control prior to the time set for receipt of offers; or
 - (3) It is the only proposal received.
- (B) However, a late modification of an otherwise successful proposal that makes its terms more favorable to the Government, will be considered at any time it is received and may be accepted.
- (iii) Acceptable evidence to establish the time of receipt at the Government installation includes the time/date stamp of that installation on the proposal wrapper, other documentary evidence of receipt maintained by the installation, or oral testimony or statements of Government personnel.
- (iv) If an emergency or unanticipated event interrupts normal Government processes so that proposals cannot be received at the office designated for receipt of proposals by the exact time specified in the solicitation, and urgent Government requirements preclude amendment of the solicitation, the time specified for receipt of proposals will be deemed to be extended to the same

time of day specified in the solicitation on the first work day on which normal Government processes resume.

- (v) Proposals may be withdrawn by written notice received at any time before award. Oral proposals in response to oral solicitations may be withdrawn orally. If the solicitation authorizes facsimile proposals, proposals may be withdrawn via facsimile received at any time before award, subject to the conditions specified in the provision at 52.215-5, Facsimile Proposals. Proposals may be withdrawn in person by an offeror or an authorized representative, if the identity of the person requesting withdrawal is established and the person signs a receipt for the proposal before award.
- (4) Unless otherwise specified in the solicitation, the offeror may propose to provide any item or combination of items.
- (5) Offerors shall submit proposals in response to this solicitation in English, unless otherwise permitted by the solicitation, and in U.S. dollars, unless the provision at FAR 52.225-17, Evaluation of Foreign Currency Offers, is included in the solicitation.
- (6) Offerors may submit modifications to their proposals at any time before the solicitation closing date and time, and may submit modifications in response to an amendment, or to correct a mistake at any time before award.
- (7) Offerors may submit revised proposals only if requested or allowed by the Contracting Officer.
- (8) Proposals may be withdrawn at any time before award. Withdrawals are effective upon receipt of notice by the Contracting Officer.
- (d) Offer expiration date. Proposals in response to this solicitation will be valid for the number of days specified on the solicitation cover sheet (unless a different period is proposed by the offeror).
- (e) Restriction on disclosure and use of data. Offerors that include in their proposals data that they do not want disclosed to the public for any purpose, or used by the Government except for evaluation purposes, shall--
 - (1) Mark the title page with the following legend: This proposal includes data that shall not be disclosed outside the Government and shall not be duplicated, used, or disclosed-- in whole or in part-- for any purpose other than to evaluate this proposal. If, however, a contract is awarded to this offeror as a result of--or in connection with-- the submission of this data, the Government shall have the right to duplicate, use, or disclose the data to the extent provided in the resulting contract. This restriction does not limit the Government's right to use information contained in this data if it is obtained from another source without restriction. The data subject to this restriction are contained in sheets [insert numbers or other identification of sheets]; and
 - (2) Mark each sheet of data it wishes to restrict with the following legend: Use or disclosure of data contained on this sheet is subject to the restriction on the title page of this proposal.
- (f) Contract award.

- (1) The Government intends to award a contract or contracts resulting from this solicitation to the responsible offeror(s) whose proposal(s) represents the best value after evaluation in accordance with the factors and subfactors in the solicitation.
- (2) The Government may reject any or all proposals if such action is in the Government's interest.
- (3) The Government may waive informalities and minor irregularities in proposals received.
- (4) The Government intends to evaluate proposals and award a contract after conducting discussions with offerors whose proposals have been determined to be within the competitive range. If the Contracting Officer determines that the number of proposals that would otherwise be in the competitive range exceeds the number at which an efficient competition can be conducted, the Contracting Officer may limit the number of proposals in the competitive range to the greatest number that will permit an efficient competition among the most highly rated proposals. Therefore, the offeror's initial proposal should contain the offeror's best terms from a price and technical standpoint.
- (5) The Government reserves the right to make an award on any item for a quantity less than the quantity offered, at the unit cost or prices offered, unless the offeror specifies otherwise in the proposal.
- (6) The Government reserves the right to make multiple awards if, after considering the additional administrative costs, it is in the Government's best interest to do so.
- (7) Exchanges with offerors after receipt of a proposal do not constitute a rejection or counteroffer by the Government.
- (8) The Government may determine that a proposal is unacceptable if the prices proposed are materially unbalanced between line items or subline items. Unbalanced pricing exists when, despite an acceptable total evaluated price, the price of one or more contract line items is significantly overstated or understated as indicated by the application of cost or price analysis techniques. A proposal may be rejected if the Contracting Officer determines that the lack of balance poses an unacceptable risk to the Government.
- (9) If a cost realism analysis is performed, cost realism may be considered by the source selection authority in evaluating performance or schedule risk.
- (10) A written award or acceptance of proposal mailed or otherwise furnished to the successful offeror within the time specified in the proposal shall result in a binding contract without further action by either party.
- (11) The Government may disclose the following information in postaward debriefings to other offerors:
 - (i) The overall evaluated cost or price and technical rating of the successful offeror;
 - (ii) The overall ranking of all offerors, when any ranking was developed by the agency during source selection;

- (iii) A summary of the rationale for award; and
- (iv) For acquisitions of commercial items, the make and model of the item to be delivered by the successful offeror.

L.2 52.216-1 TYPE OF CONTRACT (APR 1984)

The Government contemplates award of a Fixed Price/Fixed Unit Price contract resulting from this solicitation.

L.3 52.222-24 PREAWARD ON-SITE EQUAL OPPORTUNITY COMPLIANCE EVALUATION (FEB 1999)

If a contract in the amount of \$10 million or more will result from this solicitation, the prospective Contractor and its known first-tier subcontractors with anticipated subcontracts of \$10 million or more shall be subject to a preaward compliance evaluation by the Office of Federal Contract Compliance Programs (OFCCP), unless, within the preceding 24 months, OFCCP has conducted an evaluation and found the prospective Contractor and subcontractors to be in compliance with Executive Order 11246.

L.4 952.227-84 RIGHT TO REQUEST PATENT WAIVER (FEB 1998)

Offerors have the right to request a waiver of all or any part of the rights of the United States in inventions conceived or first actually reduced to practice in performance of the contract that may be awarded as a result of this solicitation, in advance of or within 30 days after the effective date of contraction. Even where such advance waiver is not requested or the request is denied, the contractor will have a continuing right under the contract to request a waiver of the rights of the United States in identified inventions, i.e., individual inventions conceived or first actually reduced to practice in performance of the contract. Domestic small businesses and domestic nonprofit organizations normally will receive the patent rights clause at DEAR 952.227-11 which permits the contractor to retain title to such inventions, except under contracts for management or operation of a Government-owned research and development facility or under contracts involving exceptional circumstances or intelligence activities. Therefore, small businesses and nonprofit organizations normally need not request a waiver. See the patent rights clause in the draft contract in this solicitation. See DOE's patent waiver regulations at 10 CFR part 784.

L.5 52.233-2 SERVICE OF PROTEST (SEP 1996) (As Modified by 952.233-2) (AUG 1996)

- (a) Protests, as defined in Section 33.101 of the Federal Acquisition Regulation, that are filed directly with an agency, and copies of any protests that are filed with the General Accounting Office (GAO), shall be served on the Contracting Officer (addressed as follows) by obtaining written and dated acknowledgment of receipt from:

Jeffrey R. Burgan
Department of Energy - Oak Ridge Operations
MS AD-42
P.O. Box 2001
Oak Ridge, TN 37831

- (b) The copy of any protest shall be received in the office designated above within one day of filing a protest with the GAO.
- (c) Another copy of a protest filed with the General Accounting Office shall be furnished to the following address within the time periods described in paragraph (b) of this clause: U.S. Department of Energy, Assistant General Counsel for Procurement and Financial Assistance (GC-61), 1000 Independence Avenue, S.W., Washington, DC 20585, Fax: (202) 586-4546.

L.6 952.233-4 NOTICE OF PROTEST FILE AVAILABILITY (SEP 1996)

- (a) If a protest of this procurement is filed with the General Accounting Office (GAO) in accordance with 4 CFR Part 21, any actual or prospective offeror may request the Department of Energy to provide it with reasonable access to the protest file pursuant to FAR 33.104(a)(3)(ii), implementing section 1065 of Public Law 103-355. Such request must be in writing and addressed to the contracting officer for this procurement.
- (b) Any offeror who submits information or documents to the Department for the purpose of competing in this procurement is hereby notified that information or documents it submits may be included in the protest file that will be available to actual or prospective offerors in accordance with the requirements of FAR 33.104(a)(3)(ii). The Department will be required to make such documents available unless they are exempt from disclosure pursuant to the Freedom of Information Act. Therefore, offerors should mark any documents as to which they would assert that an exemption applies. (See 10 CFR part 1004.).

L.7 952.233-5 AGENCY PROTEST REVIEW (SEP 1996)

Protests to the Agency will be decided either at the level of the Head of the Contracting Activity or at the Headquarters level. The Department of Energy's agency protest procedures, set forth in 933.103, elaborate on these options and on the availability of a suspension of a procurement that is protested to the agency. The Department encourages potential protesters to discuss their concerns with the contracting officer prior to filing a protest.

L.8 52.237-1 SITE VISIT (APR 1984)

Offerors or quoters are urged and expected to inspect the site where services are to be performed and to satisfy themselves regarding all general and local conditions that may affect the cost of contract performance, to the extent that the information is reasonably obtainable. In no event shall failure to inspect the site constitute grounds for a claim after contract award.

L.9 ORO L01 CONTENT OF RESULTING CONTRACT (MAY 1997)

Any contract awarded as a result of this RFP will contain Part I -- The Schedule, Part II -- Contract Clauses, and Part III, Section J -- List of Documents, Exhibits and Other Attachments. Blank areas appearing in these sections will be completed during or after negotiations. Part IV, Section K will be incorporated in the contract by reference.

L.10 ORO L05 EXCLUDED CONTRACTORS (MAY 1997)

Proposals are not solicited from firms which are debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from federal procurement or nonprocurement programs.

L.11 ORO L10 TIME, DATE AND PLACE PROPOSALS ARE DUE (MAY 1997)

Mailed proposals shall be marked as follows:

FROM: _____

MAIL TO:

U.S. Department of Energy
Oak Ridge Operations Office
P.O. Box 2001
Oak Ridge, Tennessee 37831
ATTN: Jeffrey Burgan

SOLICITATION NO. DE-RP05-01OR22860.000

DUE: Time: _____ Date: _____

NOTICE TO DOE MAIL ROOM: DO NOT OPEN. THIS IS A PROPOSAL UNDER THE ABOVE IDENTIFIED SOLICITATION.

Handcarried proposals shall be marked as follows:

FROM: _____

HAND CARRY TO:

U.S. Department of Energy

Oak Ridge Operations Office
200 Administration Road
Oak Ridge, Tennessee 37830
ATTN: Jeffrey Burgan

SOLICITATION NO. DE-RP05-01OR22860.000

DUE: Time: _____ Date: _____

NOTICE TO DOE MAIL ROOM: DO NOT OPEN. THIS IS A PROPOSAL UNDER THE ABOVE IDENTIFIED SOLICITATION.

All potentially classified information identified in Provision L.23 "Classified Data" shall be submitted concurrent with the proposal, but under separate cover in accordance with the instructions and to the location identified in Provision L.23.

- (a) All proposals are due NO LATER THAN _____ local prevailing time on _____.
(CAUTION: See the proposal submission instructions, including the provision describing treatment of late submissions, modifications and withdrawals of proposals.)
- (b) The offeror assumes the full responsibility of insuring that the offer is received at the place and by the date and time specified in this solicitation.
- (c) It may not be possible to handcarry the package(s) between the hours _____ and _____ workdays. Delivery to any other location may result in late receipt of the proposal and is strongly discouraged.
- (d) Item samples, if required, must be submitted within the time specified for receipt of offers. Unless otherwise specified in the solicitation, these samples shall be (1) submitted at no expense to the Government and (2) returned at the sender's request and expense, unless they are destroyed during preaward testing.

**L.12 ORO L20 SMALL BUSINESS SIZE STANDARDS AND SET-ASIDE INFORMATION
(UNRESTRICTED) (MAY 1997)**

This acquisition is unrestricted and contains no set-aside provisions. However, for purposes of this solicitation a small business is defined as [TBD]. The Standard Industrial Classification (SIC) is [TBD].

L.13 SITE TOUR/BRIEFING (DEC 2000)

- (a) A classified briefing and site tour of the Building 3019 complex will be held only for those individuals representing firms that have submitted an Intention to Propose in accordance with Section L and who hold a "Q" clearance. Attendance at the classified site tour will be limited to six people per proposing entity/team. No photographs, tape recorders or videotapes may be taken during the tour. In addition to the requirement for a "Q" clearance, proposed attendees at the classified site tour shall comply with the requirements in items (1) and (2) below:

- (1) No later than [TBD], submit to Headquarters DOE Defense Programs Office (DP-45) a DOE Form 5631.20 REQUEST FOR VISIT OR ACCESS APPROVAL. The "need to know" area of the DOE Form 5631.20 must be certified by a senior company official, and the individual's clearance must be verified by the facility security officer at the site where the clearance is held. The facility security officer must submit the 5631.20 to DP-45, [TBD].
 - (2) An information copy of the Form 5631.20 must be transmitted simultaneously to the DOE, Oak Ridge Officer Operations Office Visitor Control Official, [TBD].
- (b) Departure for the classified briefing and tour will occur at the address below at [TBD].
- (c) Oral questions pertaining to the RFP or other contractual matters will not be entertained during the classified briefing or tour. Questions arising during the briefing or tour can be submitted to DOE representatives in cards at the conclusion of the briefing or tour. Written answers to any unclassified questions will be posted on the ORO Procurement home page and will constitute the official DOE answer. Questions and answers that are of a classified nature will be made available only to firms which have individuals holding a DOE "Q" security clearance.

L.14 ORO L40 NUMBER OF AWARDS (MAY 1997)

It is anticipated that there will be one award resulting from this RFP.

L.15 ORO L55 EXPENSES RELATED TO PROPOSAL OR BID SUBMISSIONS (MAY 1997)

This solicitation does not commit the Government to pay any costs incurred in the submission of any proposal or bid, or in making necessary studies or designs for the preparation thereof or to acquire or contract for any services.

L.16 ORO L60 AMENDMENT OF THE SOLICITATION ALTERNATE I (MAY 1997)

The only method by which any term of the solicitation may be modified is by an express, formal amendment to the solicitation generated by the issuing office. No other communication made at any scheduled preproposal/prebid conference or subsequent discussions, whether oral or in writing, will modify or supersede the terms of the solicitation. Any amendments to this solicitation (prior to submission of offers and other information) generated by the issuing office will be provided on the Internet at the Oak Ridge Operations Office, Procurement and Contracts Division home page under "Current Solicitations," address: http://www.doe.gov/procurement/oro_home.html. It will be the responsibility of the offeror to routinely examine the specified home page for any amendments that may be issued on this solicitation prior to submission of offer and other information.

L.17 ORO L85 NOTICE OF LABOR PROVISIONS (MAY 1997)

- (a) Offerors should note that this solicitation includes contract clauses requiring the listing of employment openings with the local office of the Federal-State employment service system and postings of employment notices. (See clauses "Affirmative Action for Special Disabled and Vietnam Era Veterans" and "Affirmative Action for Handicapped Workers").
- (b) This solicitation may include clauses relating to specific labor laws. General information regarding the requirements of the Walsh-Healey Public Contracts Act (41 U.S.C. 35-45), the Contract Work Hours Standards Act (40 U.S.C. 327-333), and the Service Contract Act of 1965 (41 U.S.C. 351-358) may be obtained from the Department of Labor, Washington, D.C., 20310, or from any regional office of that agency. Requests for information should include the RFP number, the name and address of the issuing agency, and a description of the supplies or services.

L.18 ORO L110 DISPOSITION OF PROPOSALS OR BIDS (MAY 1997)

Proposals or bids will not be returned (except for timely withdrawals).

L.19 ALTERNATE PROPOSAL INFORMATION (DEC 2000)

- a. The offeror may submit an alternate proposal to accomplish any aspect of the effort or product contemplated by the solicitation in a manner that might create a beneficial improvement to the Government. The Government will consider an alternate proposal if it is accompanied by a basic proposal prepared in accordance with instructions contained in and responsive to this solicitation. The alternate proposal must be complete by itself and comply with the proposal instructions of this solicitation. The alternate proposal will be evaluated in accordance with the evaluation factors of this solicitation.
- b. In the event the Government received an alternate proposal that, if accepted, would result in a contract with terms varying in one or more material respects from those contained in this solicitation (i.e., change in scope), and the Government concludes that implementation of the approach contained in the alternate proposal would be in its best interest, the Government may modify its solicitation in a manner appropriate to incorporate the change in scope but not reveal the substance of the alternate proposal, thereafter give all offerors (and others if the facts warrant) an opportunity to respond to the modified solicitation.

L.20 ORO L135 PROPOSAL PREPARATION INSTRUCTIONS--GENERAL (MAY 1997)

- (a) General. Proposals are expected to conform to the provisions in this section. To aid in evaluation, proposals shall be clearly and concisely written as well as being neat, indexed (cross-indexed as appropriate) and logically assembled. All pages of each part should be appropriately numbered, and identified with the name of the offeror, the date, and the solicitation number of the extent practicable.
- (b) Overall Arrangement of Proposal.
 - (1) The overall proposal should consist of three (3) physically separated volumes,

individually entitled as stated below. The required number of each proposal volume and the required packaging and grouping is also shown in the matrix below.

Volume I -- Offer and Other Documents

Total Copies Required: _____

Volume II -- Technical and Business Mgmt.

Total Copies Required: _____

To Be Packaged As Follows:

Volume III - Price

Total Copies Required: _____

To Be Packaged As Follows:

- (2) Each group, designated above, is to be packaged individually. This does not preclude packaging more than one, or all, groups in a single overall package. Mark the group number on the outside of the individual package or packages.
- (2) Copy No. 1 of the proposal or bid should contain the signed original of all documents requiring signature by the offeror. Use of reproductions of signed originals is authorized in all other copies of the proposal or bid.

L.21 ORO L150 PROPOSAL PREPARATION INSTRUCTIONS--VOLUME I, OFFER AND OTHER DOCUMENTS (MAY 1997)

(a) General.

Volume I, Offer and Other Documents, consists of the actual offer to enter into a contract to perform the desired work. It also includes the offeror's qualification criteria proposal (if applicable), required representations, certifications, and other statements of the offeror, make or buy program, identification of technical data to be withheld, request for waiver of patent clauses and any other administrative information.

(b) Format and Content.

Volume I, Offer and Other Documents, should include the following documents (in the order listed):

- (1) The Standard Form 33 with blocks 12 through 18 completed by the offeror.
- (2) Section K, Offeror Representations, Certifications, and other statements of the offeror fully executed.
- (3) Additional Information to be furnished by the offeror.

(c) The Standard Form 33.

- (1) Use of the Form. The Standard Form 33 is to be executed fully and used as the cover sheet (or first page) of each copy of Volume I, Offer and Other Documents.
- (2) Acceptance Period. The acceptance period entered on the Standard Form 33 by the offeror should not be less than that prescribed in solicitation Part IV--Section L, which shall apply if no other period is offered.
- (3) Signature Authority. The person signing the Standard Form 33 must have the authority to commit the offeror to all of the provisions of the proposal, fully recognizing that the Government has the right, by terms of the solicitation, to make an award without further discussion if it so elects.

(d) Representations and Certification

Offeror should complete the representations and certifications according to the instructions contained in Part IV - Section K.

(e) Additional Information to be Furnished.

- (1) Section B, Price Schedules, in the format provided in this RFP.
- (2) Data to be inserted in blanks found in Sections H.15, "Key Personnel."
- (3) Remittance Address. If the offeror's remittance address is different from the address shown on the Standard Form 33, such address should be furnished, including ZIP Code.
- (4) Withholding of Technical Data: Pursuant to the clause entitled "Rights to Proposal Data - Technical", the offeror must provide the required statement in this Section of Volume I.

L.22 ORO L155 PROPOSAL PREPARATION INSTRUCTIONS--VOLUME II, TECHNICAL AND BUSINESS MANAGEMENT PROPOSAL (MAY 1997)

(a) General.

- (1) Volume II -- The Technical and Business Management Proposal (hereinafter referred to as the Technical Proposal) consists of the Offeror's proposal addressing the technical and business management aspects of the acquisition, the Offeror's capabilities and what the Offeror will do to satisfy the requirements of the Statement of Work. Since the Technical Proposal will be evaluated to determine such matters as understanding of the work to be performed, technical approach, and potential for completing the desired work (Part IV--Section M and Part I--Section C), it should be specific and complete in every detail. The proposal should be practical and be prepared simply and economically, providing a straightforward, concise delineation of what it is the Offeror will do to satisfy the requirements of the Statement of Work.
- (2) In order that the Technical Proposal may be evaluated strictly on the merit of the material submitted, no contractual cost information is to be included in the Technical Proposal. Where estimated labor hours will provide clarity, they shall be quoted in labor hour figures only, with no indication as to the cost of these labor hours.
- (3) Technical Proposal Page Limitation.
 - (i) The Technical Proposal shall not exceed [TBD] pages. For interpretation of page guidelines, the front and back of a single sheet are counted as two pages. Except for illustrations, the proposed text should be typed (type size shall not exceed 12 characters per inch averaged over one full line of text) and printed, unreduced, on size 8 1/2-inch by 11-inch paper with minimum left and right margins of 1/2-inch. Pages should be sequentially numbered with the page number on each page. The page guidelines constitute a limitation on the total amount of material that may be submitted for evaluation. No material may be incorporated in any proposal by reference, attachment, or appendix, as a means to circumvent the page limitation. Video tapes, audio tapes and floppy discs will not be reviewed.
 - (ii) If a Technical Proposal is received which exceeds the page limitation, the additional pages will not be read and evaluated by DOE. The pages which exceed the page limitation will be removed from the proposal and returned to the offeror.

(b) Format and Content.

- (1) Volume II, Technical Proposal, shall include the following components and include as a minimum the information in subparagraphs (i) through (iv) below. The information requested in (i) through (iv) does not describe additional evaluation criteria. The proposal will be evaluated using the evaluation criteria in Section M.
 - (i) Table of Contents.
 - (ii) List of Tables and Figures.
 - (iii) Technical Summary.
 - (iv) Technical Discussion.

- (2) These major headings may be subdivided or supplemented by the offeror as appropriate.
- (i) Technical Summary. This short section should contain key a brief summary of the key points of the proposal.
 - (ii) Technical Discussion. This section should contain the major portion of the Technical Proposal. It should demonstrate offeror's capability in meeting the requirements set forth in the Statement of Work. It should clearly address each of the Technical and Management Evaluation Criteria set forth in Part IV--Section M. It should follow the same order as the evaluation criteria listed in Part IV--Section M, and each part of the section should be identified with the pertinent evaluation criterion number. Information provided by offeror should include, but is not limited to, the following requested data under each criterion.

1. Proposed Technical Approach – Information requested for evaluation of Section M, Criterion 1 is as follows:

A Project Management Plan that includes the following:

Proposed plan for processing and repackaging of the material

The offeror should provide documentation that includes the following:

- Processing location.
- Technical approach including process description (including process flow sheets, material balances, etc.), material retrieval and handling activities, ²²⁹Th extraction process (including amount of ²²⁹Th to be extracted), and downblending process. The plan should specify the proven feasibility of chosen technical approach and identify contingency plans.
- Material processing sequence that balances the goals of ²²⁹Th extraction with the need to determine the ²³³U package and materials condition to address DNFSB Recommendation 97-1 issues. The processing sequence should consider the relative risks associated with each container as stated in Reference Document #5, Final Oak Ridge National Laboratory Site Assessment Report on the Storage of ²³³U. The data set shall describe the condition of the storage containers, including structural integrity, radiological contamination, and container configuration (e. g. dimensions, number of inner containers and materials of construction, and ²³³U physical form and associated radiation levels).
- Identification of processing infrastructure if work is proposed in Building 3019A, including equipment required for processing, use of existing equipment, new equipment, facility modifications, and plans to fulfill the requirement of DOE Order 425.1B, Startup and Restart of Nuclear Facilities.
- Identification of the specific ²³³U material to be processed for ²²⁹Th extraction. It should be noted that not all of the ²³³U inventory may be economically suitable for ²²⁹Th extraction.
- ALARA and criticality controls during processing.
- Proposed long term storage containers, including container specifications and projected radiation levels.
- Transportation plan, including any additional repackaging due to offsite processing and return of downblended material to specified location.
- Waste Management approach.
- How the proposed ²³³U processing strategy will resolve those portions of DNFSB Recommendation 97-1 applicable to Building 3019A.

- Approach to dealing with material identified for retention, including how the material would be handled and when the material would need to be received to be processed if the DOE option is exercised.

Proposed plan for operation of Building 3019A

The Offeror should provide a discussion of the proposed initial facility transition plan that includes the following:

- Transition of existing facility procedures.
- Coordination with the site contractor for the supply of required services and the identification of services to be transitioned from the site contractor.
- Schedule for facility transition.
- The Offeror should also provide documentation that includes the following:
 - Overall surveillance and maintenance plans, including plans for continued safe storage of existing inventory.
 - Facility modifications for continued operations.
 - Draft Facility Authorization Agreement and proposed revisions to the Authorization Basis.
 - How the Contractor will achieve closure of DNFSB Recommendation 2000-2, as it applies to Building 3019A.

Proposed plan for commercial beneficial use of the extracted thorium:

The Offeror should provide documentation that includes the following:

- Location of radiopharmacy for distribution of the medical isotope.
- A technical plan that demonstrates the following:
 - The offeror's ability to commercially distribute the medical isotope, including the ability to operate and control a medical radioisotope production facility free from incidents resulting in the loss of capability or product quality.
 - The offeror's ability to design, construct and operate a facility to support the production, packaging, distribution, marketing and sales of ²²⁵Ac, including the ability to operate equipment in the facility to ensure the purity of the chemical and radiochemical analysis of the ²²⁵Ac and meet all required radiological, environmental and safety controls. This plan should fully describe the key equipment and facilities to be utilized for these activities.
- A business plan that demonstrates the following:
 - Provide an organization chart/flow chart identifying the structure, staff planning, and delegation of authorities used in performing the production, packaging, distribution, marketing and sales of ²²⁵Ac. The organization chart must clearly correlate with the resumes provided elsewhere in the proposal.
 - Describe the process proposed for managing, administering and controlling the work through all stages of production, packaging, distribution, marketing, and sales of ²²⁵Ac. Highlight processes which ensures the timely delivery and quality of the services. Describe intended QA/QC measures to be implemented for these purposes. Describe in detail the production, packaging, distribution, marketing, and sales of the ²²⁵Ac will be accomplished. Explain all of the significant technical business,

and operational issues (including receipt of the existing DOE purified ^{229}Th and waste management) the offeror expects to encounter and how it plans to deal with those issues.

- Provide evidence of chemical and radiochemical analytical capabilities to verify product purity.
- Provide a start-up plan that includes:
 - List of start-up and production milestones
 - A discussion of the use of the offeror's resources and other resources required during the start-up period,
 - A discussion of the offeror's plan for commencing work during the start-up period. Include any interrelation and integration required between the offeror and the DOE/ORNL during the transition period. The plan must demonstrate an approach that assures product quality.
- A discussion of the offeror's willingness to be assigned any outstanding contractual commitments that DOE has with existing customers at current levels and prices.

Proposed approach for placing Building 3019A in safe and stable shutdown to meet the end point specifications contained in the Building 3019A End Point Specification document reference # 15 and meeting endpoint specifications

The offeror should provide the following:

- Proposed approach for meeting the endpoint specification, including schedule for turnover to DOE.
- Proposed post-transition surveillance and maintenance approach, including the projected costs for implementation by DOE.

Proposed approach for security, and control and accountability of special nuclear material

The offeror should discuss the following:

- Overall security requirements for facility operation.
- Overall security requirements for material handling.
- Overall material control and accountability requirements.

Proposed plan for securing all necessary permits and licenses

The offeror should provide a plan that includes the following:

- Implementing activities to satisfy requirements of permits and licenses currently owned by DOE at the ORNL site.
- Identification of required permits and licenses for new activities including plans for obtaining new permits and licenses.

A Schedule that includes the following elements:

- Critical Path Method (CPM) schedule for planning and scheduling of all work required activities (e. g. delivery of ^{233}U material not currently stored in Building 3019A, depleted uranium to processing location, removal of material from Building 3019A, thorium extraction, and return of downblended material, Building 3019A operation and shutdown, etc) to complete the job.
- A CPM reflecting scheduled man-hours versus time, as applicable.
- A time phased logic network
- A network analysis reflecting:
 - Activity start by early start, organized by related elements.
 - Activity sort by float, organized by related elements.

- A narrative description of the logic and reasoning of the schedule for major activities and their sequencing.
- Resource allocation by activity.

2. Relevant Experience – Information requested for evaluation of Section M, Criterion 2 is as follows:

Information for contracts completed within the last five years or currently on-going which include work similar in nature and complexity to that in the Statement of Work, for both the offeror, and any major subcontractors and/or teaming partners. The contracts may be with Federal, State, or local governments, and/or private entities. The offeror should address experience in the following areas: 1) integration of multi-faceted, large scale projects; 2) fixed-price contracts; 3) processing, packaging, and transporting of nuclear materials; 4) interfacing with local, State, and Federal governments, regulatory agencies, the community, and other stakeholders; 5) maintaining good safety, health, and environmental programs; 6) the operation of a radioisotope production facility free from incidents which could result in an inability to deliver product conforming to specifications; and 7) the performance of radioisotope production, marketing, and distribution work similar to the services being proposed, including the record of on-time deliveries and purity of products to customers.

The following information should be provided for each contract:

- Contract number
- Issuing entity
- Contract cost/price
- Contact name, address, and phone number
- Scope of the project and contract
- Duration of the contract
- Innovative or unique actions used to reduce cost or schedule
- Other information about the contract which provides the Government with a thorough description and will assist the Government's understanding of its relevance to this contract
- Two points of contact

The offeror should provide information on problems encountered on the contracts identified above and corrective actions taken to resolve them. Offerors should not provide general information on their performance on the identified contracts. General performance information will be obtained from the references.

The offeror should provide resumes (3 pages maximum per resume) for each Key Personnel position located in Section H of the contract that substantiates the individual's depth of relevant experience, demonstrated performance, education, professional credentials, accomplishments, and qualifications to demonstrate that the proposed individual can fulfill the requirements of the position. Resumes shall also indicate the individual's employment commitment. Offerors are advised that the Government may contact any or all references in the resume and third parties.

In addition, the following information should be provided:

- 1) Describe the offeror's largest and most complex radioisotope production work which is similar in nature to the production, packing, distribution, marketing, and sales of ²²⁵Ac described in this RFP; and

2) Provide a brief expatiation of a technical, production, or distribution problem you have encountered in the radioisotope industry. Describe the actions taken by the offeror to remedy the problem. Please highlight experience related directly to medical radioisotope production and distribution.

3. Environment Safety and Health – Information requested for evaluation of Section M, Criterion 3 is as follows:

Documentation that includes the following:

- For each ES&H directive included in the List of Applicable Directives appended to this contract, list every requirement of each directive, identify if each requirement will be fully complied with, partially complied with, or not applicable. For those requirements determined to be partially complied with or not applicable, provide a technical justification. If acceptable to DOE, the List of Applicable Directives will be revised accordingly.

For contracts similar in size, scope, and complexity, performed within the last five years, or currently being performed, provide the following information:

- a listing of all Notices of Violations and deficiencies, penalties and/or fines.
- reports of inspections/audits.
- a list of contacts for regulatory agencies with oversight responsibilities.
- a copy of OSHA logs as described in 29 CFR 1904.2 (OSHA Form #200 or equivalent).
- the Offeror's Total Reportable Case Rate (TRC) and Lost Workday Case Rate (LWC) along with supporting calculations.
- the Offeror's Insurance Modifier Rate (IMR) along with supporting calculations.

National Environmental Policy Act (NEPA) Documentation

DOE will prepare an environmental assessment (EA) per NEPA regulations [10 CFR 1021 Subpart C and 40 CFR 1500 et seq.] and DOE policy "Recommendations for the Preparation of Environmental Assessments and Environmental Impact Statements", (March 1993). DOE has the responsibility of conducting the NEPA review, however, offerors should provide detailed information and analyses to support this review as a part of their proposal package. This information should be provided by the offeror in the form of a report "Required Information for the National Environmental Policy Act" (in both hard copy and electronic format to be submitted with the proposal, or prior to submittal of the proposal as a separate submittal).

The information to be provided by the offerors to enable DOE to prepare the appropriate NEPA documentation for the project shall include, but not be limited to a detailed description of the project including project objectives, project schedule, summary of test plans, map location(s); description of existing facilities, and description of facilities to be modified and/or constructed for the project. Operating processes/practices presently conducted that will require modification shall also be described in sufficient detail to analyze their impacts to the human environment. If appropriate, the offeror should provide process flow diagrams and plan elevation views; sizes and capacities for major equipment; a discussion of the quantities and types of materials to be used in the project including feedstocks, utilities, fuels, reactants, products, effluents, unrecovered materials, and solid waste (including hazardous, radioactive, and mixed wastes); a discussion regarding current environmental

characteristics of the site(s)/facility(ies) involved, be they on-site or off-site, and any potential environmental impacts from the project; and include a discussion regarding compliance with Federal, State, and local environmental regulations. Information on environmental impacts should provide data in terms of minimum, maximum, and average values rather than qualitative statements, such as, "insignificant" or "minimal", which are subject to interpretation.

The following is a list of potential environmental impacts to be included in the discussion:

Air Quality: Include discussion regarding potential environmental impact from the seven criteria pollutants in the Clean Air Act (i.e., sulfur oxides, nitrogen oxides, carbon monoxide, volatile organic carbon, total suspended particles, sulfuric acid mist, and fluorides) and the Hazardous Air Pollutants (i.e., Air Toxics) list in the 1990 Title III amendment to the Clean Air Act for all project locations. Include discussion regarding other potential air pollutants including carbon dioxide and radioactive isotopes.

Water Resources: Include discussion regarding potential environmental impact to surface and ground water for all project locations. The uses of the surface and ground waters should be included in the discussion. It should include sources of water supply (e.g., public water supply or dedicated well) and any National Pollutant Discharge Elimination System (NPDES) permit(s).

Land Use: Include discussion on the amount of land at the existing site and any other sites that will be used, and the amount that will be used for execution of the project. The discussion should include the current use of the land, zoning requirements, and current access to the land. A discussion should be included on the uses and zoning of surrounding property. Information should include any modifications needed for access to the land as a result of the project. A discussion on land use changes that may be needed to comply with security requirements is also needed. Include discussion on impacts to visual and aesthetic values.

Waste Management: Include discussion on solid and liquid waste management including waste characteristics, quantities, pre-treatment, storage, transportation and disposal practices from all project activities, regardless of location. Identify any potential hazardous waste materials.

Ecological Impacts: Include a discussion regarding potential environmental impacts to vegetation, terrestrial wildlife, aquatic wildlife, threatened and endangered species, floodplains and wetlands in all locations involved in the project.

Socioeconomic Impacts: Include information regarding availability of labor for the project, availability of transportation, and any potential impact on public services.

Archaeological, Cultural, and Historical Resources: Include information regarding contacts with state agencies to assess project impact on archaeological, cultural, and historically-significant resources.

Noise: Include a discussion on possible environmental impacts from noise generated by the project. Include a discussion on current noise levels and any possible increases in noise levels from the project. In general, the noise level is measured at the nearest point of public access. Include a discussion regarding proximity and any possible impact to noise-sensitive sites such as schools, hospitals, and nursing homes.

Occupational Safety and Health: Include a discussion on plans to protect worker safety and health on the project (e.g., clothing, hearing protection, and operating practices) as well as other workers or members of the public in the project area(s). If the project presents a potential safety hazard beyond the project boundaries, emergency response plans should be included in the discussion. Include information on worker safety and health protection programs and procedures, compliance with OSHA regulations, and facility design features related to mitigation of occupational impacts. Discuss hazards and mitigation measure related to construction activities and exposure to hazardous substances, heat, noise, and odors. Identify the need for development or revision to safety analysis reports, and provide a strategy and schedule for each.

Regulatory Strategy: Discuss the strategy for regulatory compliance for proposed activities, i.e., operate under DOE Orders, or obtain separate licenses and permits; elaborate on compliance strategy for reporting, documenting, etc.

Summary Of Environmental Impact: Include a factual summary of potential environmental impact.

A table should be prepared that identifies all Federal, State, and local permits required for the project. The table should provide information on the permitting schedule and current status of each permit. A discussion should be included on the allowable release of solid, liquid, and air pollutants under the permit(s).

Provide complete addresses and phone numbers for agencies and persons contacted to collect information on the environment, safety, and health aspects of the project.

4. Past Performance – Information requested for evaluation of Section M, Criterion 4 is as follows:

Past performance information will be gathered by means of a questionnaire submitted by the offeror's references. For the purposes of past performance information, offerors shall be defined as business arrangements and relationships such as joint ventures, teaming partners, and major subcontractors. The offeror is responsible for forwarding the Past Performance Questionnaire included in Section L, Attachment 1, to each contact listed for each relevant contract provided in Criterion 2. Each contact shall complete the Past Performance Questionnaire and return it directly to the Department of Energy at the following address:

U.S. Department of Energy	Phone: [TBD]
Oak Ridge Operations Office	Fax: [TBD]
ATTN: [TBD]	E-mail: [TBD]
P.O. Box 2001	
Oak Ridge, TN 37831	

The "Sample Transmittal Letter" also included in Section L, Attachment 1, is provided as an example of a letter the offeror may wish to use to allow its clients to release past performance information to DOE. The offerors will provide a copy of all transmittal letters to DOE at the above address.

Past performance information for work that is not similar to scope, size, and complexity of this contract will be considered when a contractor has no past performance information from contracts for similar efforts.

Past performance information is proprietary source selection information. The Government will only discuss past performance information directly with the Contractor that is being reviewed. Other contractors that have formed business arrangements with the Contractor under review such as prime-subcontract relationships, and teaming partners, can only be informed that there is a problem with the Contractor under review. The details of the problem will not be provided unless the affected Contractor agrees.

Information from sources that the government determines to have a vested interest in the offeror shall be considered to have a conflict of interest and will not be included in the evaluation.

The offeror may describe any quality awards or certifications that the offeror possesses a high-quality process for developing and producing the product or service required. Such awards or certifications include, for example, the Malcolm Baldrige Quality Awards, other government quality awards, and private sector awards or certifications. Identify what segment of the company (one division or the entire company) that received the award or certification. Describe when the award or certification was bestowed and how this award reflects on the company that will be performing this work. If the award or certification is over three years old, present evidence that the qualifications still apply.

Each offeror will be evaluated on their performance under existing and prior contracts for similar products or services. Performance information will be used for both responsibility determinations and as an evaluation factor against which offerors' relative rankings will be compared to assure best value to the government. References other than those identified by the offeror may be contacted by the government in the evaluation of the offeror's past performance.

In addition, the following information should be provided:

- Provide reference from five (5) clients with whom the offeror has been involved in some aspect of the production, marketing or distribution of radioisotope (of which, at least two should be customers to which the offeror has sold radioisotope products) within the five-year period preceding the submission of your proposal. Each reference should include the following information:
 - The client name, address, telephone number, and the name of a knowledgeable representative with the client organization. If the reference is a government agency, provide the contract number and the name of the technical representative of the contracting officer.
 - A description of the services performed, size (in dollars) of the contract, and the period during which the services were performed.

(iii) Other Pertinent Information. This section shall contain any other pertinent information which will supplement or aid in the understanding and evaluation of the Technical Proposal.

L.23 PROPOSAL PREPARATION INSTRUCTIONS - VOLUME III, PRICE PROPOSAL (DEC 2000)

- (a) Submission of certified cost or pricing data is not required.
- (b) The price schedule shall be accompanied by detailed pricing information for each unit and total price proposed that supports and demonstrates the proposed prices are realistic for the work to be performed and the offeror's understanding of the contract requirements. All numbers should be rounded to the nearest dollar.
- (c) The offeror shall include any cost assumptions that form the basis for each unit and total price proposed.
- (d) The offeror shall provide information explaining the nature and amount of contingencies included in the proposal.
- (e) Proposed prices shall be provided by fiscal year. The offeror shall identify the escalation factor used for each price element and year.
- (f) The total dollar amount of price or charges for royalties required to be included in the offeror's proposal by Section K.13, "Royalty Information," shall be provided for each appropriate major activity.
- (g) Contract Line Items: The bidder shall provide prices by cost element (i.e. labor categories, labor hours, labor rates indirect costs, materials, equipment, subcontracts, License/permit fees, and other direct costs, etc), by fiscal year for each line item in the price schedule. Additional information that the offeror determines is necessary for DOE to evaluate the offeror's understanding of the scope of work may be submitted. If the offeror's proposed estimating methodology includes sub-elements not reflected below, the offeror shall include the sub-element price with the appropriate major contract line item activity:
 - (1) Contract Line Item 1: ²³³UProcessing and Repackaging, Thorium Extraction, and Delivery of Downblended ²³³Uto DOE. The price for this line item shall include the costs associated with the following subelements not separately priced (unless otherwise indicated):
 - Delivery of depleted uranium to the processing location for downblending and return to DOE any unused depleted uranium at processing completion.
 - Collection of inventory data to address DNFSB Recommendation 97-1
 - Interim storage, preparation for shipment, receipt and final processing, packaging, and disposition of the MSRE material as part of the ²³³U inventory.
 - Material transportation:
 - If the material is to be processed off-site at the Offerors facility, the Offeror should contact [TBD] for the SST price associated with the transportation of the material to the Offeror's location. **The Offeror shall provide this data and price for information purposes.**
 - Development and implementation of a Waste Management Plan
 - Support of NEPA requirements.
 - Packaging of extracted Thorium.
 - (2) Contract Line Item 2: Building 3019A Operations: The price for this line item shall include the costs associated with the following subelements not separately priced (unless otherwise indicated):
 - Initial Facility Transition Activities
 - Development of a revised Authorization Agreement, including any necessary revisions to the Facility Authorization Basis (e.g. SAR and TSR)
 - Development of necessary technical analysis and documentation to support DOE in

responding to the DNFSB and performing all actions necessary to achieve closure to DNFSB recommendations 97-1 and 2000-2.

Safeguarding the special nuclear material in Building 3019A:

- DOE will be evaluating and estimating the level of security required as a result of the offeror's proposed approach, in coordination with the DOE safeguards and security contractor. The offeror shall submit the following data as part of their proposal. This data may or may not contain information that could be considered classified. As such, the offeror shall submit the information as a separate document in accordance with the instructions identified in clause L-23, "Classified Data," of this Request for Proposal.

The offeror shall submit the following information:

1. In the contractor's proposed concept of operations, what is the anticipated schedule for opening Building 3019A storage wells?
 - a. At what frequencies will Category III storage wells be opened and closed? Daily? Weekly?
 - b. Once opened, how long will Category III storage wells remain open before they are returned to a secure configuration?
 - c. At what frequencies will Category II storage wells be opened and closed? Daily? Weekly?
 - d. Once opened, how long will Category II storage wells remain open before they are returned to a secure configuration?
 - e. At what frequency will Category I storage wells be opened and closed? Daily? Weekly?
 - f. Once opened, how long will Category I storage wells remain open before they are returned to a secure configuration?
2. As a follow-up to the first question, it is assumed that storage wells will be opened to remove material or conduct inventories.
 - a. On these occasions, is the concept of operations such that more than one storage well could be opened at a time?
 - b. If the concept is to have multiple wells opened routinely or just occasionally, will multiple wells be left in their access mode, or is the concept to immediately re-secure the wells to their "secure" configuration (each time) following the removal of material?
 - c. If the concept is to leave a well or wells in an access mode, what is the anticipated duration that a well will remain open?
3. When there is a need to open a well, how much material (by category and attractiveness level) is expected to be removed from the well on the occasion of each opening?
 - a. When wells are accessed and material is removed, is the production concept to keep material within the confines of the immediate area, or will or could material be transported to other areas inside 3019A?
 - b. How much material is expected to be outside a storage well at any given time?
 - c. Is the production concept to limit specific amounts of material to one location or could material be located simultaneously in different locations within Building 3019A?
 - d. If yes, how many different locations within Building 3019A could material be located and in what amounts in each location?
4. How will material that is removed from storage wells be moved inside Building 3019A?

5. What is the concept for moving material to different locations, different buildings, or different sites?
6. In what form is material in the “finished” product?
7. How will material be transported off site as a finished product?
8. What is the contractor's plan for:
 - a. Training its handlers and management personnel on safeguards and security procedures?
 - b. Writing and coordinating security procedures?
 - c. Ensuring vulnerability analyses are completed?
 - d. Identifying physical security requirements and upgrades?
 - e. Ensuring personnel meet DOE security training requirements?
9. Opening and closing a storage well is a time consuming process. How do production concepts and operating schedules take this into consideration? What are the expectations and concerns regarding impacts to production schedules?
10. Do production schedules/plans anticipate 24 X 7 operations? If no,
 - a. What is the expected normal operating hours?
 - b. Is overtime expected to be a routine requirement for support organizations?
 - c. If yes, what kind of lead times can support organizations expect to receive to ensure they have personnel available to work the extended hours?
 - d. How much overtime should support organizations plan to work during the initial start up year of operations?
11. What is the expected duration of this project in terms of months? Years?

[To Be Determined]

- Preparation and execution of a Nuclear Materials Control and Accountability Plan:
 - This data may or may not contain information that could be considered classified. As such, the offeror shall submit the information as a separate document in accordance with the instructions identified in clause L-23, “Classified Data,” of this Request for Proposal.
 - Permits and licenses requirements
 - Preparation and execution of an Integrated Safety Management Plan
 - Preparation and execution of a Radiation Protection Plan
 - Services procured from DOE's ORNL site contractor:
 - **The offeror shall include estimated units for electric power, water, number of telephone lines, and number of ISDN lines.**
 - Services (Other than those identified in the statement of work) that will be purchased from the DOE ORNL site contractor: Contact ORNL [TBD] for a price list of offered services. **The offeror shall provide a list of services being purchased from the DOE ORNL site contractor. This list shall include estimated units and per unit cost.**
 - Facility upgrades
- (3) Contract Line Item 3: Building 3019A Shutdown. The price for this line item shall include

the costs associated with the shutdown of the building in accordance with the End Point Criteria specified in the Statement of Work Section 3.4. In addition, the costs associated with the following subelements, not separately priced, shall also be included:

- Any necessary revisions to the Final Facility Transition Plan
- Any necessary revisions to the Post Transition Surveillance and Maintenance Plan.

- (4) Contract Line Item #4: Material Retained for Future Use – Optional. The price for the following options shall include the cost elements associated with each option. Each option shall be separately priced:

- Removing, packaging, and loading the material for offsite shipment.
- Processing, packaging, and transportation of the material.

(h) Additional Information and Required Data

- (1) The offeror shall provide a summary of annual and total price by major activity and sub-activity. The total of this summary shall tie back to the price proposed in Section B.3, Price.
- (2) Points of Contact. Offerors shall provide the name, address, and telephone number for the cognizant Administrative Contracting Officer and the cognizant Audit Agency office, if any. Offerors shall also provide the name, address, and telephone number of person(s) authorized to provide any clarifying information regarding the Volume III, Price Proposal.
- (3) All pages in the additional other than cost and pricing data proposal, including forms, tables, and exhibits, must be numbered and identified in a table of contents or index. The cost proposal shall be sufficiently complete so that cross-referencing to other volumes is not necessary. None of the information contained in the Volume III should be included in any other proposal volume unless specifically requested in this solicitation. There is no page limitation of the other than cost and pricing data proposal.
- (4) Additional Information. DOE reserves the right to request any additional information deemed necessary to properly evaluate Volume III, Price Proposal.

(i) Determination of Financial Capability

- (1) FAR 9.104-1(a) requires a prospective Contractor to have adequate financial resources to perform the contract or the ability to obtain them in order to be determined responsible. It is the offeror's responsibility to demonstrate its financial capability to complete the contract. Information provided by the offeror shall include, but not be limited to, the following, if it exists:
 - a. A current balance sheet and a profit/loss statement covering all quarters completed in the current Fiscal Year and projected data for the balance of the year;
 - b. An audit opinion (rendered by an independent CPA firm) and the related audited financial statements and notes to the financial statements for the last two Fiscal Years;
 - c. The information in (a) and (b) above for all participants if the Offeror is a teaming arrangement and for any selected subcontractor whose estimated cost exceeds 25 percent of the total proposed cost. If the Offeror is a limited liability company or similar entity created for the purpose of performing this contract and lacking financial resources, the above information should be submitted for the parent corporate entity(ies) or other guarantors.
- (2) The determination of financial capability to complete this contract shall be made by DOE.

However, a financial capability review may be performed by the Defense Contract Audit Agency for DOE's consideration.

L.24 CLASSIFIED DATA (DEC 2000)

The security and materials control and accountability (MC&A) discussions required in clause L.21, "Proposal Preparation Instructions-Volume II, Technical and Business Management Proposal," and the Financial data required in clause L.22, "Proposal Preparation Instructions - Volume III, Price Proposal," have a high potential to be classified. Therefore, all offerors shall attend a security briefing held on [TBD]. Sections of the submittals for security and MC&A discussions shall be generated and submitted as classified documents, at the Secret-National Security level unless it is known that they contain Restricted Data, in which case they will be so marked. Bidders are advised that security and classification requirements will likely impact their procession of the material.

Potential offerors who currently are authorized and approved by DOE to process classified information, may generate and submit their information in accordance with this approved authorization. Potential offerors who are not currently approved to process classified information must plan on generating the potentially classified documents at a location currently authorized for classified information processing at a DOE furnished location. The location will be [TBD]. No potentially classified information shall be processed in other than a DOE approved location.

The documents identified above shall be transmitted under separate cover, in accordance with the instructions outlined below, to the following location:

Director the Office of Safeguards and Security
Oak Ridge Operations Office
P. O. Box [TBD]
Oak Ridge, TN 37830

The documents shall be packaged and delivered in accordance with the following instructions:

To Be Determined

Upon proposal opening on [TBD], these documents shall be reviewed by a DOE classification officer and appropriately determined as to its classification level.

L.25 ORO L185 AVAILABILITY OF REFERENCED DOCUMENTS (DEC 1999)

Certain documents will be available for your information and use in connection with this Request for Proposal. These documents are identified on our website at www.oakridge.doe.gov/u233seb/.

L.26 ORO L190 INTENTION TO PROPOSE (MAR 1990)

Please review this RFP. To enable us to update our source lists, please complete the following and mail to the address below by the earliest practical date.

RFP Number:

_____ We do intend to submit a proposal.

_____ We do not intend to submit a proposal for the following reasons:

Name and Address of Firm or Organization (Include Zip Code)

PRIME:

SUBCONTRACTOR(S):

Typed Name and Title: _____

Date: _____

NOTE: Unless otherwise stated in the RFP, no other solicitation materials should be returned if you do not intend to submit a proposal.

Mail To:

Department of Energy
Oak Ridge Operations Office
ATTN: Jeffrey Burgan
Box 2001
Oak Ridge, Tennessee 37831

If you prefer, you may mail this form electronically to _____ at the following address:

L.27 List of Attachments to Section L

Attachment 1 Resume Format

Attachment 2 Reference Information Form and Sample
Questionnaire

Attachment 3 Proposal Conference and Tour Registration Sheet

PART IV - SECTION L
INSTRUCTIONS, CONDITIONS AND NOTICES TO OFFERORS

ATTACHMENT 1

RESUME FORMAT

Name:

Proposed Position with Offeror:

Duties and Responsibilities in Proposed Position:

Experience:

(Identify employers, position titles, dates of employment, specific duties and responsibilities. Address specific information on the qualifications, experience, and demonstrated performance relevant to the proposed position, including individual leadership qualities.)

Education

(Identify institution, degree earned, dates)

Professional Development and Achievements:

(Identify professional memberships, special training, professional registrations, etc.)

References:

(Name, title, company/organization, address, phone number)

Commitment Statement:

The following statement should be included on each resume:

If [name of offeror] is awarded the contract, I agree to accept full-time employment in the above stated position.

SIGNATURE OF INDIVIDUAL.

PART IV - SECTION L
INSTRUCTIONS, CONDITIONS AND NOTICES TO OFFERORS

ATTACHMENT 2

REFERENCE INFORMATION FORM AND
SAMPLE QUESTIONNAIRE

Reference Information Form

Reference # : _____ of

Name of Offeror:

Name of parent company contract awarded to if different from offeror:

Client Name: _____

Contract #: _____

Client Point of Contact: _____

Title: _____

Telephone: _____

Address: _____

Start Date: _____ Completion/Termination Date: _____

Provide reason if terminated for cause: _____

Type of Contract: _____ Dollar Amount:

Description of Services:

Regulator Point(s) of Contact (Provide the information below for the principal regulators that were responsible for oversight or compliance):

Name: _____

Agency: _____

Address: _____

Telephone: _____

Safety Performance:

Workers Compensation Claims Paid (\$):

Lost Workday Rate:

Total Recordable Incidence Rate:

Lost Workday Case Rate:

Fire Loss Rate:

Experience Modification Rates:

Compliance: Describe any significant ES&H compliance issues, along with the basis and the actual or proposed resolution:

Major Subcontractors (name, point of contact, and telephone number):

Other relevant information:

Sample Questionnaire

Dear _____:

The Department of Energy (DOE) is asking for your assistance in a procurement effort. (Name of Company) is participating in a proposal for a DOE Contract with an estimated value of \$2.5 billion. We are asking you to complete the attached questionnaire to help us evaluate (Name of Company) performance in seven areas. The questionnaire is divided into seven sections covering the seven areas of interest.

In providing your ratings, please use the following definitions:

- 0 - Unsatisfactory - The contractor failed to meet the minimum contract requirements.
- 1 - Marginal - Performance was less than expected. The contractor performed below minimum contract requirements. Major Agency resources were required to ensure achievement of contract requirements.
- 2 - Average - Performance met expected levels. The contractor met the minimum contract requirements. Minor Agency intervention was required to ensure achievement of contract requirements.
- 3 - Above Average - Contractor performance exceeded expected levels. The contractor performed above minimum contract requirements and displayed a thorough understanding of contract requirements.
- 4 - Exceptional - Contractor performance substantially exceeded expected levels of performance. The contractor consistently performed above contract requirements, displayed an overall superior understanding of contract requirements, and used innovative approaches leading to enhanced performance.

NA - Not applicable

DK - Don't know. No knowledge available to rate this question.

Please feel free to provide an explanatory narrative in each section under REMARKS. Space for narratives is included on each section; if more space is needed please attach additional pages.

Please provide the following information:

Your company name and address _____

Name/Telephone number/Title of person completing the questionnaire: _____

We greatly appreciate your time and assistance in completing this questionnaire.

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ATTACHMENT 3

**PREPROPOSAL CONFERENCE AND
TOUR REGISTRATION SHEET**

I will be attending (check applicable blocks):

_____ Preproposal Conference

_____ Building 3019A Site Tour

(Tour Attendees must be Q-Cleared and bring photo identification, i.e., driver's license, military identification, or passport.)

PLEASE TYPE OR PRINT:

Full Name: _____
(as it appears on your photo identification)

Visitor's Title: _____

Company Name: _____

Address: _____

Telephone Number: _____ FAX Number: _____

Social Security Number: _____ Date of Birth: : _____

Place of Birth: _____ Citizenship: : _____

Home Address: _____

Home Telephone Number: _____